

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee.

The Senator from California is recognized for 5 minutes.

RELEASE OF ENERGY TASK FORCE RECORDS

Mrs. BOXER. Mr. President, I stand here today to call on Vice President DICK CHENEY to immediately open his records of his secret energy task force meetings and tell the American people the truth about who attended those meetings.

The administration needs to stop fighting this wasteful lawsuit. It has cost hundreds of thousands, if not millions of dollars, that belong to the taxpayers. And it has consumed an enormous amount of time with the Justice Department and other agencies. Today the case is to be heard across the street at the Supreme Court.

It is not too late for the Vice President to come clean. Just tell the American people who attended the secret meetings he held before he issued his energy policy which took the form of this very expensive, beautiful-colored brochure which has, for example, this picture of "Energy for a New Century," and it shows an oil rig in the ocean. By the way, that is not exactly the energy of the future.

The time has come for the Vice President to stop the stonewalling. Simply tell the truth. Who did he meet with in preparing our Nation's energy plan?

First, the American people have the right to know. The last I checked, this country was a free country. It is a country where there is access to information for the people. We pay the salaries of our President, our Vice President, our Senators, our House Members. Unless it is a question of the highest national security, the people have a right to know how their money is being spent or misspent. Why does the administration continue to hide the truth about how its energy policy was formed? It is not necessary to be secretive. It is wrong. The public needs to know how public policies are formulated.

To know that, they need to know who was sitting at the table when this national energy policy was put together. Who was there? Was it a broad array of citizens from all sides of the issue—consumers, environmentalists, people from the oil companies, the gas companies, the nuclear industry—or was it just one set of people?

Second, it is time to stop wasting taxpayers' money. The cost of that lawsuit across the street is very dif-

ficult to pin down. We know the General Accounting Office, which tried to force the Vice President to reveal who was at the meetings, spent over \$300,000 in legal fees to fight DICK CHENEY's stonewalling. From my office's research, we believe attorneys from Justice and the Office of Solicitor General have spent thousands of work hours preparing these documents.

Let me show a chart on what other things these persons could be doing other than keeping the meetings that the Vice President had secreted from the people. They could have been fighting terrorism by seeking and freezing assets of terrorist groups such as Hamas. They could have been prosecuting Medicare fraud. They could have been prosecuting drug companies that falsify data for FDA drug approval. They could have been prosecuting corporations that violate consumer safety laws with toxic products. All those things are in the public interest.

But, no, this Vice President says to these people who work hard every day: Just forget about this. We know we said a lot about cracking down on terrorism, money laundering. We said a lot about cracking down on Medicare fraud and drug company fraud and corporations that violate consumer safety laws with toxic products. Just forget it. Defend me. I am so important. I am the Vice President and the people have no right to know with whom I meet.

It is outrageous. I want the Justice Department to go after criminals, not to keep meetings secret that should be made public.

The Supreme Court has other things to do as well. They defend our way of life, our civil liberties, our human rights. For this court to spend its time listening to Mr. CHENEY defend his secrecy pulls it away from other important issues it could address. It is a waste of the Court's time. It is a waste of money.

I ask unanimous consent for an additional 2 minutes and ask that Senator DURBIN have an additional 2 minutes as well.

Mr. REID. Mr. President, we ask unanimous consent that the majority have an additional 2 minutes as well, a total of 2 extra minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator is recognized for an additional 2 minutes.

Mrs. BOXER. Two Federal judges have already found that the administration has violated the Freedom of Information Act. Openness is an American value. In the end, openness is a way of life. Do you remember how Condi Rice was not going to testify because the President said that she only reports to him and what she tells him is secret? Well, they caved on that one. They caved on that one because that is not in the public interest, and the people wouldn't stand for it.

Do you remember when First Lady HILLARY CLINTON said she believed she didn't have to reveal who was sitting in

on the health care task force meetings? Well, they were sued. And HILLARY CLINTON, now Senator CLINTON, said: OK, OK. Let's not go to court. I will reveal this information.

But not this administration, not DICK CHENEY. He has a lot of time to bash Senator JOHN KERRY, but he doesn't have time to open up the files and show the people who sat in on those meetings that led to the formulation of the national energy policy. It is remarkable—someone who didn't serve 1 minute, 1 hour in the military is taking on a war hero, JOHN KERRY. But he doesn't have time to pay attention to this issue on which the New York Times editorialized today and said:

[The Cheney] case also raises more substantive issues about the degree to which a vice president can claim to be above the law.

This is a sad day. We already know because the Vice President admitted that Ken Lay attended those secret meetings. Yes, he did. Ken Lay, the man we are hoping will wind up in prison for defrauding the people of California and the people of the west coast of billions of dollars. We know he was in the meeting. We also know he handed the Vice President a document that said: Don't take any action in California.

I call on the Vice President, tell the truth. Cut it out. Walk away from this case and let the people know with whom you met.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Illinois is recognized for 5 minutes.

ATTACK ON JOHN KERRY'S MILITARY SERVICE

Mr. DURBIN. Mr. President, over 35 years ago, JOHN KERRY faced his enemies in Vietnam. There were enemies there who were involved in sniper fire against JOHN KERRY, trying to take his life and kill him because he wore the uniform of the United States of America. Sadly, the Vietnam snipers are still trying to cause damage to JOHN KERRY.

The new Vietnam snipers come from the Bush-Cheney campaign: Karen Hughes, sadly the Vice President, and other campaign operatives who are now attacking JOHN KERRY because he served our country. He wore the uniform of the United States of America. He volunteered and put his life on the line in Vietnam.

This shameless exercise by the Bush-Cheney campaign must be called for what it is. Many of us did not serve in the military, even those of us in the Vietnam era. We did not volunteer for service as JOHN KERRY did. We didn't wear the uniform of our country proudly as he did. We did not risk our lives. Included in this group is Vice President CHENEY, who used his deferments to avoid military service, as he was legally allowed to do. Yet we now hear Vice President CHENEY leading the attack against JOHN KERRY, a man who